

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

STATE OF NEW YORK, et al.,

Plaintiffs,

NEW YORK IMMIGRATION
COALITION, et al.,

Consolidated Plaintiffs

v.

UNITED STATES DEPARTMENT OF
COMMERCE, et al.,

Defendants.

Civil Action No. 1:18-cv-02921-JMF

SUPPLEMENTAL DECLARATION OF ELIZABETH PLUM

I, Elizabeth Plum, pursuant to the provisions of 28 U.S.C. § 1746, declare under penalty of perjury that the foregoing is true and correct:

1. As explained in my October 26, 2018 Declaration, I am the Vice President of Policy for the New York Immigration Coalition (“NYIC”). In that capacity, I am responsible in part for NYIC’s education and outreach efforts around the 2020 Decennial Census. I am also one of the NYIC executives responsible for the organization’s budgeting, fundraising, and policy priorities. I have been on staff at NYIC for over five years.

2. All of the statements made in my October 26 Declaration and in this Declaration are made based on my personal knowledge, acquired after more than five years on staff at NYIC. During that time period, I have familiarized myself with NYIC’s internal records and processes; our staff and their responsibilities; our programs and program areas; our member organizations

including their missions, the communities they serve, and their participation in activities with NYIC.

3. As Vice President of Policy for NYIC, a critical part of my job is to ensure that NYIC's policies and programs, including our Census education and outreach programs, address the needs of our member organizations and reflect their values. To that end, I have spent significant time traveling around New York State and meeting with both our member organizations and the immigrant communities that we all serve. Through this process, I have familiarized myself with prevailing views in the community concerning a range of issues affecting immigrant communities, including the Trump Administration's treatment of immigrant communities and immigration-related policies, and fears in immigrant communities about the policies of this Administration. As part of this process, I have observed a pattern of expressions of fear among immigrant communities in New York State concerning the Trump Administration's rhetoric and actions against immigrants and, specifically, the decision to add a citizenship question to the 2020 Decennial Census and potential use of the information gleaned from this question. I have also been working with immigrant communities in New York in one form or another since 2007 and have developed a thorough understanding of prevailing views in the communities I've worked with.

4. My statements concerning the fears of members of New York's immigrant community concerning the citizenship question and its effect on their willingness to answer the Decennial Census therefore reflect my knowledge as both the Vice President of Policy for NYIC and someone who has worked personally with immigrant communities in this state for over a decade, rather than a restatement of any particular individual's views. Similarly, in expressing my views about the likely effect of the citizenship question on New York's immigrant

community, I do not intend to offer any specific predictions about non-response rate or percentage undercount, but merely my observations based on my knowledge as a community leader and my work as Vice President of Policy for NYIC.

5. I have also been extensively and personally involved in the research, development, and implementation of NYIC's Census education and outreach programs, including the organization's work in the New York Counts 2020 coalition, which is dedicated to ensuring that New Yorkers across the state—particularly marginalized communities in hard-to-count districts—can maximize their participation in the 2020 Census. Because NYIC's Census education and outreach programs have been researched and developed to address the concerns of its members and the immigrant communities they serve, I have also familiarized myself with how those organizations and communities will be impacted by an undercount, including the kinds of government funding streams they receive.

6. Regarding statements made in Paragraphs 6, 7, and 8 of my October 26 Declaration about the Census-guided funding programs through which several NYIC member organizations receive funding, those statements are based on my work in the research, development, and implementation of NYIC's Census education and outreach programs, including the organization's work in the New York Counts 2020 coalition, as well as my regular and direct involvement with our member organizations in forming organizational policy. For example, I know that some of our member organization receive funding through the Workforce Innovation and Opportunity Act through my management of NYIC's education policy program. For another example, I know that some member organizations receive funding through Medicaid through my management of NYIC's health policy program. This research has informed my work in developing and implementing NYIC's communications, policy, and programming

regarding the 2020 Census, including NYIC's decision to increase its investment in education and outreach concerning the 2020 Census.

7. Regarding statements made in Paragraph 13 of my October 26 Declaration, those statements regarding the challenging environment for Census outreach as a result of the climate of fear among immigrant communities created by the Trump Administration and the incremental fear of participating in the Census due to the decision to add a citizenship question, those statements are based on my work in researching, developing, and implementing NYIC's Census education and outreach efforts, including work performed both before and after the disclosure of the decision to add a citizenship question. These statements are also based on my regular and extensive contact with our member organizations and the immigrant communities we serve on a variety of policy and programmatic areas, during which I have observed a pattern of fearful expressions concerning the citizenship question from immigrants in New York and their families, many of whom are part of mixed-status households.

8. Regarding statements made in Paragraphs 14 of my October 26 Declaration concerning the increased investments in Census education and outreach that NYIC has made to achieve similar Census participation rates among the immigrant communities we serve, those statements are based on my work in researching, developing, and implementing of NYIC's Census education and outreach programs that meet our member organizations' needs and reflect their values—both before and after the decision to add a citizenship question became public. Those statements are also based on my observation of a pattern of expressions of fear and confusion concerning the addition of a citizenship question to the 2020 Census among the immigrant communities that NYIC and its member organizations serve. My observation of this pattern of fear, confusion, and reluctance to participate in the 2020 Census due to the addition of

a citizenship question has informed NYIC's decisions to accelerate its 2020 Census education and outreach programs from 2019 to 2018 and to increase our investment in those programs. In expressing my views about the likely effect of the citizenship question on New York's immigrant community, I do not intend to offer any specific predictions about non-response rates, but only my observations based on my knowledge through my work as Vice President of Policy for the NYIC, and my participation in researching, developing, and implementing NYIC's for the 2020 Decennial Census, including my regular contact with the immigrant communities we serve towards the purpose of designing NYIC policies and programs that meet their needs and reflect their values.

9. Regarding statements made in paragraph 15 of my October 26 Declaration, the reports that NYIC has heard, including the pattern of reports that I have personally received and observed, have informed my own work and NYIC's decisions about policy, programming, and communications around the 2020 Census, including our decision to increase our investments in our 2020 Census education and outreach towards the purpose of encouraging immigrant participation in the 2020 Census.

10. Regarding statements made in paragraphs 16, 17, 18, 19, 20, and 21 of my October 26 Declaration, my statements regarding reports from our members are only some examples of the pattern of fear, confusion, and reluctance on the part of immigrant communities in New York to participate in the 2020 Census as a result of the citizenship question that I have observed in the course of my work. I have observed this pattern of fear, confusion, and reluctance in researching, developing, and implementing our 2020 Census education and outreach efforts, as well as during my community engagement work with our member organizations and the immigrant communities we serve. The pattern of reports I have received,

including these examples and other observations, have caused NYIC to divert resources from other organizational programs to increase our investments in education and outreach efforts for the 2020 Census.

11. Regarding statements made in paragraph 22 of my October 26 Declaration, my statements regarding NYIC's concerns about the loss of privacy that immigrant communities will suffer as a result of the publication of data derived from a citizenship question on the 2020 Census are based on my observation of a pattern of such concerns expressed by immigrants in New York during my work researching, developing, and implementing our education and outreach efforts around the 2020 Census with our member organizations and the immigrant communities we serve. My statements regarding the use of Census data are informed by research I have performed to inform my work in developing and implementing programming and communications for NYIC's education and outreach efforts around the 2020 Census. These statements have informed my participation in NYIC's decision to hire staff and to place greater outreach and communications emphasis on addressing the privacy and confidentiality issues surrounding the collection of Census data.

12. Regarding statements I made in paragraph 23 of my October 26 Declaration concerning NYIC's diversion of resources from the organizations other programs and policy priorities in order to bolster our 2020 Census education and outreach, those statements are based on my participation in NYIC's decisions to divert resources from program areas including health care and language access in order to increase the resources expended on our Census programming and communications, which were based in part on our repeated observations of reports of fear, confusion, and reluctance to participate in the Census due to the citizenship question among the immigrant communities we serve.

I declare under penalty of perjury that the foregoing is true and correct.

Executed: November 2, 2018

New York, NY

A handwritten signature in black ink, appearing to read 'Elizabeth Plum', written over a horizontal line.

Elizabeth Plum